

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Joseph Scales

(b) County of Residence of First Listed Plaintiff Delaware County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Harry J. Oxman, Esquire and Dawna M. Coffey, Esquire
1015 Chestnut Street, Suite 1500
Philadelphia, PA 191076 (215) 665-9999

DEFENDANTS

The GEO Group, Inc., Quetta Brown-Yarsiah, NP, Shelly Mealo, RN, Anne Raynor, RN, Nicole Sheron, RN, Rachel Scully, RN, and (See attached Addendum listing all Defendants)

County of Residence of First Listed Defendant Delaware County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	PTF	DEF	PTF	DEF
<input checked="" type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/>	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input checked="" type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	PROPERTY RIGHTS	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	LABOR	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 450 Commerce	
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 460 Deportation	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 480 Consumer Credit	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 490 Cable/Sat TV	
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 850 Securities/Commodities/ Exchange	
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 890 Other Statutory Actions	
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 891 Agricultural Acts	
REAL PROPERTY	CIVIL RIGHTS	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 893 Environmental Matters	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 895 Freedom of Information Act	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	SOCIAL SECURITY	<input type="checkbox"/> 896 Arbitration	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 899 Administrative Procedure	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 862 Black Lung (923)	Act/Review or Appeal of Agency Decision	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 950 Constitutionality of State Statutes	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 864 SSID Title XVI		
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 865 RSI (405(g))		
		FEDERAL TAX SUITS		
		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)		
		<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609		
		IMMIGRATION		
		<input type="checkbox"/> 462 Naturalization Application		
		<input type="checkbox"/> 465 Other Immigration Actions		

V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. Section 1983, U.S.C. Section 1331, 1343(a)(3), 1343(a)(4), 1367(a) and 1391

VI. CAUSE OF ACTION

Brief description of cause:
Civil rights, personal injury and medical malpractice.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S)

IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

10/09/2020

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING JFP

JUDGE

MAG. JUDGE

ADDENDUM TO COVER SHEET

Complete list of Defendants:

1. THE GEO GROUP, INC.
500 Cheyney Road
Thornton, PA 19373
2. QUETTA BROWN-YARSIAH, NP
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
3. SHELLY MEALO, RN
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
4. ANNE RAYNOR, RN
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
5. NICOLE SHERON, RN
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
6. RACHEL SCULLY, RN
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
7. JULIE STOTT, RN
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
8. RONALD PHILLIPS, D.O.
c/o The GEO Group, Inc.
500 Cheyney Road
Thornton, PA 19373
9. KRISTEN GRADY, H.S.A.
500 Cheyney Road
Thornton, PA 19373
10. MEDICAL PERSONNEL
JOHN DOES 1-10
500 Cheyney Road
Thornton, PA 19373
11. CORRECTIONAL JOHN DOES 1-10
500 Cheyney Road
Thornton, PA 19373

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

Joseph Scales : CIVIL ACTION

vs. :

The GEO Group, Inc., Quetta Brown-Yarsiah, NP,
Shelly Mealo, RN, Anne Raynor, RN, Nicole Sheron, RN,
Rachel Scully, RN, Julie Stott, RN, Ronald Phillips, DO.,
Kristen Grady, H.S.A., Medical Personnel John Does 1-10,
and Correctional John Does 1-10

No. :

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()

(b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()

(d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()

(f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

10/09/2020
Date

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Attorney-at-law

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FAX Number

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E-Mail Address

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH SCALES	:	
1234 Burmont Road	:	
Havertown, PA 19083	:	CIVIL ACTION
Plaintiff,		:
vs.	:	No. 20-_____
THE GEO GROUP, INC.;	:	
500 Cheyney Road	:	JURY TRIAL DEMANDED
Thornton, PA 19373	:	
QUETTA BROWN- YARSIAH, NP;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	
SHELLY MEALO, RN;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	
ANNE RAYNOR, RN;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	
NICOLE SHERON, RN;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	
RACHEL SCULLY, RN;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	
JULIE STOTT, RN;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	
RONALD PHILLIPS, D.O.;	:	
c/o The GEO Group, Inc.	:	
500 Cheyney Road	:	
Thornton, PA 19373	:	

KRISTEN GRADY, H.S.A.;	:
c/o The GEO Group, Inc.	:
500 Cheyney Road	:
Thornton, PA 19373	:
	:
MEDICAL PERSONNEL JOHN DOES 1-10;	:
c/o The GEO Group, Inc.	:
500 Cheyney Road	:
Thornton, PA 19373	:
	:
CORRECTIONAL JOHN DOES 1-10,	:
c/o The GEO Group, Inc.	:
500 Cheyney Road	:
Thornton, PA 19373	:
	:
Defendants.	:
	:

COMPLAINT

I. PRELIMINARY STATEMENT

1. Plaintiff, Joseph Scales asserts claims for violation of his civil rights under 42 U.S.C. § 1983 for deliberate indifference to his medical needs while incarcerated and supplemental state law claims for professional negligence. Plaintiff alleges that while undergoing detoxification from heroin, opiates, benzodiazepine and alcohol, Defendants failed to properly assess his risk of withdrawal; failed to properly assess his risks during withdrawal; failed to appreciate his prior history of seizures; and failed to monitor his withdrawal symptoms, which were increased in severity. As a result of this deliberate indifference and/or professional negligence on the part of Defendants, Plaintiff experienced a withdrawal seizure, which caused him to fall, striking his head on the cell floor, resulting in a severe head injury including a subdural hematoma that necessitated a hemicraniotomy and evacuation of the subdural hematoma, followed several months later by a cranioplasty. Plaintiff, Joseph Scales now seeks damages for the substantial pain and suffering and economic losses caused by the Defendants' conduct.

II. JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter of this Complaint under 42 U.S.C. § 1983 and 28 U.S.C. §§ 1331, 1343(a)(3), 1343(a)(4), 1367(a), and 1391.

III. PARTIES

3. Plaintiff, Joseph Scales, is an individual and a citizen of the Commonwealth of Pennsylvania residing at 1234 Burmont Road, Havertown, PA 19083. Hereinafter, Plaintiff, Joseph Scales shall be referred to as "Scales."

4. Defendant, The GEO Group, Inc., is a corporation dually organized and existing under and by virtue of the laws of the State of Florida, with its principal place of business located at 4955 Technology Way, Boca Raton, Fl, 33431. Hereinafter, Defendant The GEO Group, Inc. shall be referred to at "GEO." At all times relevant to the causes of action of "Scales," "GEO" operated at the George Hill Correctional Facility, hereinafter referred to as "Jail," located at 500 Cheyney Road, Thornton, Pennsylvania 19373, under a contract with the County of Delaware Pennsylvania, where "GEO" assumed the day-to-day responsibility of comprehensive and complete correctional services, including providing the medical services for inmates a "Jail." "Scales" is pursing a professional liability claim and claims for violations of "Scales" constitutional rights under the Fourteenth Amendments to the United State Constitution for deliberate indifference to the medical needs of "Scales."

5. Defendant, Quetta Brown-Yarsiah, NP, is a nurse practitioner, licensed to provide medical services and at all times relevant hereto, was an employee of "GEO" providing medical services at "Jail," located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including "Scales." "Scales" is pursing a professional liability claim and claims for violations of "Scales" constitutional rights under the Fourteenth Amendment to the United States Constitution

for deliberate indifference to the medical needs of "Scales." Hereinafter Defendant, Quetta Brown-Yarsiah, NP shall be referred to as "Yarsiah."

6. Defendant, Shelly Mealo, RN, is a registered nurse, licensed to provide nursing services and at all times relevant hereto, was an employee of "GEO" providing medical services at "Jail," located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including "Scales." "Scales" is pursing a professional liability claim and claims for violations of "Scales" constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of "Scales." Hereinafter Defendant, Shelly Mealo, RN shall be referred to as "Mealo."

7. Defendant, Anne Raynor, RN, is a registered nurse, licensed to provide nursing services and at all times relevant hereto, was an employee of "GEO" providing medical services at "Jail," located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including "Scales." "Scales" is pursing a professional liability claim and claims for violations of "Scales" constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of "Scales." Hereinafter Defendant, Anne Raynor, RN shall be referred to as "Raynor."

8. Defendant, Nicole Sheron, RN, is a registered nurse, licensed to provide nursing services and at all times relevant hereto, was an employee of "GEO" providing medical services at "Jail," located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including "Scales." "Scales" is pursing a professional liability claim and claims for violations of "Scales" constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of "Scales." Hereinafter Defendant, Nicole Sheron, RN shall be referred to as "Sheron."

9. Defendant, Julie Stott, RN, is a registered nurse, licensed to provide nursing services and at all times relevant hereto, was an employee of “GEO” providing medical services at “Jail,” located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including “Scales.” “Scales” is pursing a professional liability claim and claims for violations of “Scales” constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of “Scales.” Hereinafter Defendant, Julie Stott, RN shall be referred to as “Stott.”

10. Defendant, Rachel Scully, RN, is a registered nurse, licensed to provide nursing services and at all times relevant hereto, was an employee of “GEO” providing medical services at “Jail,” located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including “Scales.” “Scales” is pursing a professional liability claim and claims for violations of “Scales” constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of “Scales.” Hereinafter Defendant, Rachel Scully, RN shall be referred to as “Scully.”

11. Defendant, Ronald Phillips, D.O. is a physician licensed to practice medicine in the Commonwealth of Pennsylvania and at all times relevant hereto, was an employee of “GEO” providing medical services and acting as Medical Director at “Jail,” located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including “Scales.” “Scales” is pursing a professional liability claim and claims for violations of “Scales” constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of “Scales.” Hereinafter Defendant, Ronald Phillips, DO shall be referred to as “Phillips.”

12. Defendant, Kristen Grady, Health Services Administrator, known as a H.S.A. is a

registered nurse, and at all times relevant hereto, was an employee of “GEO” providing oversight of administrative medical services at “Jail,” located at 500 Cheyney Road, Thornton, Pennsylvania 19373, to inmates, including “Scales.” “Scales” is pursing a professional liability claim and claims for violations of “Scales” constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of “Scales.” Hereinafter Defendant, Kristen Grady, HSA shall be referred to as “Grady.”

13. Defendants Medical Personnel John Does 1-10, at all times relevant to the Complaint, were medical professionals employed by Defendant, “GEO,” assigned to provide medical services at “Jail,” located at 500 Cheyney Road, Thornton, Pennsylvania 19373. Plaintiff does not presently know the names of these Defendants, but will seek leave to amend the complaint so as to name each appropriate Defendant after initial discovery. “Scales” is pursing a professional liability claim and claims for violations of “Scales” constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of “Scales.” Hereinafter, Defendants Medical John Does 1-10 shall be referred to as “Medical John Does.”

14. Defendants Correctional John Does 1-10, at all times relevant to the Complaint, were correctional officers or supervisors employed by Defendant, “GEO,” assigned to provide correctional services at “Jail,” located at 500 Cheyney Road, Thornton, Pennsylvania 19373. Plaintiff does not presently know the names of these Defendants, but will seek leave to amend the complaint so as to name each appropriate Defendant after initial discovery. “Scales” is pursing a professional liability claim and claims for violations of “Scales” constitutional rights under the Fourteenth Amendment to the United States Constitution for deliberate indifference to the medical needs of “Scales.” Hereinafter, Defendants Correctional John Does 1-10 shall be

referred to as "Correctional John Does."

15. At all times relevant to the Complaint, Defendants "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Phillips," "Grady," "Medical John Does," and "Correctional John Does" were acting within the scope and course of their employment and were acting under the direct control and supervision of Defendant "GEO."

IV. FACTUAL ALLEGATIONS

16. The allegations contained previously are incorporated herein as though fully set forth at length.

17. On or about October 8, 2018, "Scales" was arrested for driving under the influence of alcohol or a controlled substance.

18. On or about October 8th or 9th of 2018, "Scales" was transported to "Jail" where he underwent an intake medical screening completed by "Yarsiah" at approximately 3:00 a.m.

19. During the medical screening, "Yarsiah" noted that "Scales" used prescription or illicit drugs or alcohol and that "Scales" reported that when he goes in to withdrawal, he experiences symptoms of cold sweats, chills, body aches, and insomnia.

20. The medical screening conducted by "Yarsiah" also noted that "Scales" had a history of seizures. It is well known among medical and correctional staff that seizures are a potential consequence of withdrawal from alcohol, heroin, and benzodiazepines.

21. "Yarsiah" also noted that "Scales'" drug panel came back positive for benzodiazepines, cocaine, opiates and THC.

22. "Yarsiah" did not document the amount of "Scales" daily consumption of heroin, opiates, benzodiazepines, alcohol, cocaine or other prescriptions drugs he was using at the time of the medical screening. "Yarsiah" also did not note the duration of time that "Scales" was

abusing heroin, opiates, benzodiazepines, alcohol, cocaine or other prescriptions drugs.

23. "Scales" current list of medications at the time of the medical screening by "Yarsiah" included suboxone, valium, and gabapentin, also medications that are known to cause withdrawal symptoms if stopped suddenly. "Scales" was not asked by "Yarsiah," about whether he was taking these medications in larger doses than prescribed.

24. The drug valium is considered a benzodiazepine.

25. "Yarsiah" documented that "Scales" had a benzodiazepine dependence, but does not document that "Scales" is at risk for benzodiazepine withdrawal.

26. "Yarsiah" assessed that "Scales" required monitoring for potential withdrawal from substance abuse for opiate withdrawal, but does not note "Scales" risk for withdrawal from benzodiazepines or alcohol. "Yarsiah" assessed "Scales" at a mild-moderate risk of opiate withdrawal and placed "Scales" in the general population.

27. Use of heroin, and abuse of benzodiazapines, suboxone and alcohol are not uncommon issues for inmates at "Jail," with more than half of inmates reporting addiction issues at "Jail."

28. Between October 9, 2018 and October 11, 2018, "Scales" was observed and examined by Defendants, "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Medical Joe Does," and "Correctional John Does" who both documented and observed increasing symptoms of withdrawal in "Scales."

29. Symptoms observed and documented by "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Medical Joe Does," and "Correctional John Does" included chills, restlessness, only tolerating small amounts of oral food and fluids, not sleeping well, sweats, body aches, and abnormal vital signs.

30. On October 10, 2018, "Scales" made a medical request stating, "I'm in extreme pain, can't sleep." "Scales attributed this pain to what he thought was nerve pain, however upon information and belief, this complaint was likely severe body aches caused by withdrawal.

31. No action was taken by "Medical John Does 1-10" or "Correctional John Does 1-10" regarding "Scales" medical request.

32. At approximately 10:18 a.m., "Scully" documented that "Scales" complained of sweats, chills and muscles aches. In response, "Scully" encouraged fluids. "Scales" was not moved to the "Jail's" medical unit or an outside medical facility for more intensive care and monitoring despite his increased symptoms and past history of seizures.

33. Approximately 3 hours later at 1:06 p.m., "Scales" suffered a withdrawal seizure, collapsed and struck his head on his cell floor, causing a subdural hematoma, which necessitated "Scales" undergoing a decompressing hemicraniotomy and evacuation of the subdural hematoma, followed several months later by a cranioplasty surgery.

34. Reasonably trained correctional policymakers and officers and reasonably trained practitioners of correctional healthcare are particularly attuned to patterns of heroin, opiate, benzodiazepine and alcohol abuse due to the disproportionately high number of inmates who abuse these substances.

35. Reasonably trained correctional policymakers and officers and reasonably trained practitioners of correctional healthcare are, likewise, aware of the significant medical issues present in inmates who are detoxifying from heroin, benzodiazepines and alcohol, due to the sudden termination of their usage upon admission to a correctional facility.

36. Detoxification from heroin, benzodiazepines and alcohol abuse is known to have several dangerous medical consequences and, as such, inmates experiencing heroin,

benzodiazepine and/or alcohol detoxification have serious medical needs.

37. Such dangerous medical consequences are particularly likely to be present in persons, such as “Scales, who are long-term abusers of heroin, opiates, benzodiazepines and alcohol.

38. The serious medical consequences present with heroin, opiate, benzodiazepine and/or alcohol withdrawal include seizures. Trained correctional policymakers and officers and reasonably trained practitioners of correctional healthcare are aware that seizures are a potentially life-threatening consequence of the detoxifying process.

39. For these reasons, basic standards of correctional healthcare requires that persons who are admitted to correctional facilities with evidence of heroin, opiate, benzodiazepine, and/or alcohol abuse be consistently monitored to ascertain the progression of an inmate’s withdrawal symptoms.

40. Further, basic standards of correctional healthcare requires that when an inmate has a trend of worsening symptoms of withdrawal, that the inmate be moved out of general population to the correctional facility’s medical unit or an outside medical facility for constant monitoring of the inmate’s withdrawal symptoms.

41. Such standards are necessary to ensure that an inmate, such as “Scales,” who is experiencing increasing withdrawal symptoms is not at risk for more serious medical consequences, including seizures.

42. Defendant, “GEO” and its supervisory employees including, but not limited to “Phillips” and “Grady,” regularly practices correctional health care and holds themselves out as experts in the medical issues presented in an inmate population, is aware of the needs of monitoring the progression of withdrawal symptoms in inmates admitted to “Jail” with histories

of heroin, opiate, benzodiazepine, and/or alcohol abuse.

43. Defendant, "GEO," and its supervisory employees including, but not limited to "Phillips" and "Grady," are aware of the need to establish specific policies, practices and guidelines for their respective employees regarding care for inmates who are detoxing from heroin, opiate, benzodiazepine, and/or alcohol.

44. Upon information and belief, Defendant "Medical John Does 1-10," were aware of "Scales" abuse of heroin, opiate, benzodiazepine, and/or alcohol, as well as, the fact the he was undergoing detoxification and experiencing an increasing pattern of withdrawal symptoms.

45. Upon information and belief, Defendant "Correctional John Does 1-10," were aware of "Scales" abuse of heroin, opiate, benzodiazepine, and/or alcohol, as well as, the fact the he was undergoing detoxification and experiencing an increasing pattern of withdrawal symptoms.

46. Upon information and belief, the failure to properly gather information about the amount and usage pattern of "Scales" abuse of heroin, opiates, benzodiazepine, and alcohol at the time of the initial medical screening, as well as, the failure to properly monitor the increasing pattern of "Scales" withdrawal symptomatology, was due to a policy, practice and/or custom and/or a lack of policy, practice or custom, which required a more thorough medical screening and transfer of an inmate with increasing withdrawal symptomatology to "Jail's" medical unit or an outside medical facility for more intensive care and constant monitoring of the inmate's withdrawal symptoms.

47. The failures of the named Defendants to provide a thorough medical screening to assess "Scales" drug use amount and length of abuse and failure to transfer him to the "Jail's"

medical unit or an outside medical facility for more intensive care and constant monitoring of his withdrawal symptoms when there was a trend demonstrating the symptoms were worsening in severity, were due to the failures of Defendants, “GEO,” with deliberate indifference, to establish appropriate policies, practices and procedures.

48. At all times relevant, “Yarsiah,” “Mealo,” “Raynor,” “Sheron,” “Stott,” “Scully,” “Medical Joe Does,” and “Correctional John Does” were aware of “Scales” serious medical needs and failed, with deliberate indifference, to ensure the “Scales” received the medically necessary medical screening and monitoring of his withdrawal symptoms.

49. At all time relevant, “Phillips” was the Medical Director and “Grady” was the Health Services Administrator at “Jail.” Both “Phillips” and “Grady” have supervisory responsibilities over the nurses and medical staff at “Jail,” including “Yarsiah,” “Mealo,” “Raynor,” “Sheron,” “Stott,” “Scully,” and “Medical Joe Does.”

50. Part of “Phillips” and “Grady’s” duties and responsibilities included ensuring that medical policies and procedures within the “Jail” were being followed, which includes enforcing policies for the information to be gathered during intake medical screenings of inmates who are at risk of suffering withdrawal from heroin, opiates, benzodiazepine, and/or alcohol during their incarceration; enforcing policies which, require inmates who are experiencing severe withdrawal symptoms, such as “Scales,” to be removed from general population and taken to the “Jail’s” medical unit or a outside medical facility for more intensive care; and constant monitoring of the withdrawal symptoms.

51. Based on information and belief, “Phillips” and “Grady” were aware of the fact that inmates with withdraw symptoms were not being assessed and monitored according to

proper policies, protocols and procedures.

52. At all times relevant to this Complaint, the conduct of all Defendants was deliberately indifferent to "Scales" rights under federal law and/or professionally negligent under state law.

COUNT I

PLAINTIFF, JOSEPH SCALES v. THE GEO GROUP, INC.
DELIBERATE INDIFFERENCE TO THE NEED OF MEDICAL CARE AND THE
DENIAL OF MEDICAL ATTENTION UNDER THE FOURTEENTH AMENDMENT
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53. The allegations contained previously are incorporated herein as though fully set forth at length.

54. At all times relevant hereto, there existed a contract between Delaware County and "GEO," whereby "GEO" provided at "Jail" on behalf of Delaware County, all "Jail" medical and mental health services to inmates, including but not limited to, intake evaluations, mental health evaluations, substance abuse evaluations, medical treatment evaluations, transfers to outside medical facilities for further intensive treatment and/or evaluations, as well as, prompt and appropriate medical treatment for inmates detoxing from heroin, opiates, benzodiazepines and alcohol.

55. The implementation of the previously mentioned contract between Delaware County and "GEO" at "Jail" required that "GEO" have in place policies, procedures and/or protocol at "Jail" in order to meet the contract requirements.

56. "GEO" was deliberately indifferent to the medical needs of inmates by:

- Failing to provide policies, procedures and protocols and/or employee

training for comprehensive intake medical screening of “Scales,” which would have included documenting the amount of “Scales” consumption of heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing “Scales” risk for withdrawal;

b) Failing to provide policies, procedures and protocols and/or employee training for comprehensive intake medical screening of “Scales,” which would have included documenting the duration of time that “Scales” had been abusing heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing “Scales” risk for withdrawal; and

c) Failing to provide policies, procedures and protocols and/or employee training for timely review by medical staff of medical requests, especially from inmates, such as “Scales” who are known to be going through the detox process and are at an increased risk of suffering severe medical consequences in the absence of prompt medical treatment.

57. The failures of “GEO” to enact the previously described policies, procedures, and/or protocols constitute the denial to “Scales” of his constitutionally protected civil rights and deliberate indifference to his right to medical attention, resulting in “Scales” experiencing a subdural hematoma, undergoing a hemicraniotomy and evacuation of the subdural hematoma, undergoing a cranioplasty, as well as, the lasting affects of memory loss, loss of coordination, neurologic deficits, slurred speech, brain injury, confusion, exacerbation of depression, exacerbation of anxiety and pain and suffering.

COUNT II

PLAINTIFF, JOSEPH SCALES v. THE GEO GROUP, INC.
CORPORATE LIABILITY
NEGLIGENCE AND CARELESSNESS

58. The allegations contained previously are incorporated herein as though fully set forth at length.

59. At all times relevant hereto, there existed a contract between Delaware County and “GEO,” whereby “GEO” provided at “Jail” on behalf of Delaware County, all “Jail” medical and mental health services to inmates, including but not limited to, intake evaluations, mental health evaluations, substance abuse evaluations, medical treatment evaluations, transfers to outside medical facilities for further intensive treatment and/or evaluations, as well as, prompt and appropriate medical treatment for inmates detoxing from heroin, opiates, benzodiazepines and alcohol.

60. The conduct of “GEO” was negligent and careless in the following manner:

- a) Failing to provide policies, procedures and/or protocols for comprehensive intake medical screening of “Scales,” which would have included documenting the amount of “Scales” consumption of heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing “Scales” risk for withdrawal;
- b) Failing to provide policies, procedures and/or protocols for comprehensive intake medical screening of “Scales,” which would have included documenting the duration of time that “Scales” had been abusing heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing

“Scales” risk for withdrawal; and

c) Failing to provide policies, procedures and/or protocols for timely review by medical staff of medical requests, especially from inmates, such as “Scales” who are known to be going through the detox process and are at an increased risk of suffering severe medical consequences in the absence of prompt medical treatment.

COUNT III

PLAINTIFF, JOSEPH SCALES v. THE GEO GROUP, INC. VICARIOUS LIABILITY

61. The allegations contained previously are incorporated herein as though fully set forth at length.

62. At all times relevant hereto, namely between October 8, 2018 and October 11, 2018, “Yarsiah,” “Mealo,” “Raynor,” “Sheron,” “Stott,” “Scully,” “Phillips,” “Grady,” “Medical John Does,” and “Correctional John Does” were agents, servants, workmen, employees, and/or ostensible agents of “GEO” acting within the course and scope of their employment and on the business of “GEO.”

63. “GEO” is vicariously liable because of the negligence and carelessness of “Yarsiah,” “Mealo,” “Raynor,” “Sheron,” “Stott,” “Scully,” “Phillips,” “Grady,” “Medical John Does,” and “Correctional John Does” resulted in “Scales” suffering damages hereinafter more fully described.

COUNT IV

PLAINTIFF, JOSEPH SCALES v. DEFENDANTS, QUETTA BROWN-YARSIAH, NP,

SHELLY MEALO, RN, ANNE RAYNOR, RN, NICOLE SHERON, RN, RACHEL SCULLY, RN, JULIE STOTT, RN, MEDICAL PERSONNEL JOHN DOES 1-10, AND CORRECTIONAL JOHN DOES 1-10
DELIBERATE INDIFFERENCE TO THE NEED OF MEDICAL CARE AND THE OF MEDICAL ATTENTION UNDER THE FOURTEENTH AMENDMENT

64. The allegations contained previously are incorporated herein as though fully set forth at length.

65. "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Medical John Does," and "Correctional John Does" were deliberately indifferent to the medical needs of "Scales" by:

- a) Failing to provide a comprehensive intake medical screening of "Scales," which would have included documenting the amount of "Scales" consumption of heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing "Scales" risk for withdrawal;
- b) Failing to provide a comprehensive intake medical screening of "Scales," which would have included documenting the duration of time that "Scales" had been abusing heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing "Scales" risk for withdrawal;
- c) Failing to consider the significance of "Scales'" prior history of seizures when assessing his risk for withdrawal;
- d) Failing to give "Scales" the proper medications to treat his symptoms of withdrawal;
- e) Failing to treat "Scales" worsening symptoms of withdrawal;
- f) Failing to properly monitor and assess "Scales" symptoms of withdrawal between October 8, 2018 and October 11, 2018;

- g) Failing to transfer "Scales" to the "Jail's" medical unit or an outside medical facility when his symptoms of withdrawal worsened;
- h) Failing to consider that "Scales'" medical request on October 10, 2018, in which he complained of severe pain and inability to sleep was because he was going through severe withdrawal; and
- i) Failing to review "Scales" October 10, 2018 medical request to see a physician for severe pain and inability to sleep, which were symptoms of severe withdrawal;

66. The conduct of "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Medical John Does," and "Correctional John Does" constitutes deliberate indifference to the medical needs of "Scales" thus, violating his civil rights under the Fourteenth Amendment, resulting in "Scales" experiencing a subdural hematoma, undergoing a hemicraniotomy and evacuation of the subdural hematoma, undergoing a cranioplasty, as well as, the lasting affects of memory loss, loss of coordination, neurologic deficits, slurred speech, brain injury, confusion, exacerbation of depression, exacerbation of anxiety, and pain and suffering.

COUNT V

PLAINTIFF, JOSEPH SCALES v. DEFENDANTS, RONALD PHILLIPS, DO AND KRISTEN GRADY, HSA DELIBERATE INDIFFERENCE TO THE NEED OF MEDICAL CARE AND THE OF MEDICAL ATTENTION UNDER THE FOURTEENTH AMENDMENT

67. The allegations contained previously are incorporated herein as though fully set forth at length.

68. At all times relevant hereto, namely between October 8, 2018 and October 11,

2018, “Phillips” and “Grady” were agents, servants, workmen, employees, and/or ostensible agents of “GEO” acting within the course and scope of their employment and on the business of “GEO.”

69. “Phillips” and “Grady” were deliberately indifferent to the medical needs of “Farrington” by:

- a) Failing to enforce policies, procedures and protocol requiring information to be gathered during intake medical screenings of inmates who are at risk of suffering withdrawal from heroin, opiates, benzodiazepine, and/or alcohol during their incarceration to include the amount and duration of abuse;
- b) Failing to enforce policies, procedures and protocol which, require inmates who are experiencing severe withdrawal symptoms, such as “Scales,” to be removed from general population and taken to the “Jail’s” medical unit or a outside medical facility for more intensive care and constant monitoring of the withdrawal symptoms; and
- c) Failing to properly supervise “Yarsiah,” “Mealo,” “Raynor,” “Sheron,” “Stott,” “Scully,” and “Medical John Does.”

70. The conduct of “Phillips” and “Grady” constitutes deliberate indifference to the medical needs of “Scales” thus, violating his civil rights under the Fourteenth Amendment, resulting in “Scales” experiencing a subdural hematoma, undergoing a hemicraniotomy and evacuation of the subdural hematoma, undergoing a cranioplasty, as well as, the lasting affects of memory loss, loss of coordination, neurologic deficits, slurred speech, brain injury, confusion,

exacerbation of depression, exacerbation of anxiety, and pain and suffering.

COUNT VI

**PLAINTIFF, JOSEPH SCALES v. DEFENDANTS, , QUETTA BROWN-YARSHIAH, NP,
SHELLY MEALO, RN, ANNE RAYNOR, RN, NICOLE SHERON, RN, RACHEL
SCULLY, RN, JULIE STOTT, RN, MEDICAL PERSONNEL JOHN DOES 1-10, AND
CORRECTIONAL JOHN DOES 1-10
NEGLIGENCE AND CARELESSNESS**

71. The allegations contained previously are incorporated herein as though fully set forth at length.

72. At all times relevant hereto, namely between October 8, 2018 and October 11, 2018, "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Medical John Does," and "Correctional John Does" were agents, servants, workmen, employees, and/or ostensible agents of "GEO" acting within the course and scope of their employment and on the business of "GEO."

73. "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," "Medical John Does," and "Correctional John Does" were negligent and careless in their conduct directed toward "Scales" as follows:

- a) Failing to provide a comprehensive intake medical screening of "Scales," which would have included documenting the amount of "Scales" consumption of heroin, opiates, benzodiazepines, and alcohol, which are necessary for assessing "Scales" risk for withdrawal;
- b) Failing to provide a comprehensive intake medical screening of "Scales," which would have included documenting the duration of time that "Scales" had been abusing heroin, opiates, benzodiazepines, and alcohol,

which are necessary for assessing “Scales” risk for withdrawal;

- c) Failing to consider the significance of “Scales” prior history of seizures when assessing his risk for withdrawal;
- d) Failing to give “Scales” the proper medications to treat his symptoms of withdrawal.
- e) Failing to treat “Scales” worsening symptoms of withdrawal;
- f) Failing to properly monitor and assess “Scales” symptoms of withdrawal between October 8, 2018 and October 11, 2018;
- g) Failing to transfer “Scales” to the “Jail’s” medical unit or an outside medical facility when his symptoms of withdrawal worsened;
- h) Failing to consider that “Scales” medical request on October 10, 2018, in which he complained of severe pain and inability to sleep was because he was going through severe withdrawal; and
- i) Failing to review “Scales” October 10, 2018 medical request to see a physician for severe pain and inability to sleep, which were symptoms of severe withdrawal;

74. The negligence and carelessness of “Yarsiah,” “Mealo,” “Raynor,” “Sheron,” “Stott,” “Scully,” “Medical John Does,” and “Correctional John Does,” as previously alleged resulted in “Scales” experiencing a subdural hematoma, undergoing a hemicraniotomy and evacuation of the subdural hematoma, undergoing a cranioplasty, as well as the lasting affects of memory loss, loss of coordination, neurologic deficits, slurred speech, brain injury, confusion, exacerbation of depression, exacerbation of anxiety, and pain and suffering.

COUNT VII

**PLAINTIFF, JOSEPH SCALES v. DEFENDANTS, RONALD PHILLIPS, DO AND
KRISTEN GRADY, HSA,
NEGLIGENCE AND CARELESSNESS**

75. The allegations contained previously are incorporated herein as though fully set forth at length.

76. At all times relevant hereto, namely between October 8, 2018 and October 11, 2018, "Phillips" and "Grady" were agents, servants, workmen, employees, and/or ostensible agents of "GEO" acting within the course and scope of their employment and on the business of "GEO ."

77. "Phillips" and "Grady" were negligent and careless in their conduct directed toward "Scales" as follows:

- a) Failing to enforce policies, procedures and protocol requiring information to be gathered during intake medical screenings of inmates who are at risk of suffering withdrawal from heroin, opiates, benzodiazepine, and/or alcohol during their incarceration to include the amount and duration of abuse;
- b) Failing to enforce policies, procedures and protocol which, require inmates who are experiencing severe withdrawal symptoms, such as "Scales," to be removed from general population and taken to the "Jail's" medical unit or a outside medical facility for more intensive care and constant monitoring of the withdrawal symptoms; and

c) Failing to properly supervise "Yarsiah," "Mealo," "Raynor," "Sheron," "Stott," "Scully," and "Medical John Does."

78. The negligence and carelessness of "Phillips" and "Grady," as previously alleged resulted in "Scales" experiencing a subdural hematoma, undergoing a hemicraniotomy and evacuation of the subdural hematoma, undergoing a cranioplasty, as well as, the lasting affects of memory loss, loss of coordination, neurologic deficits, slurred speech, brain injury, confusion, exacerbation of depression, exacerbation of anxiety, and pain and suffering.

COUNT VIII

DAMAGES

79. The allegations contained previously are incorporated herein as though fully set forth at length.

80. As a result of the conduct previously alleged as to all Defendants, "Scales" suffered a withdrawal seizure which resulted in a subdural hematoma, requiring him to undergo a hemicraniotomy and evacuation of the subdural hematoma, undergo a cranioplasty, as well as, suffer the lasting affects of memory loss, loss of coordination, neurologic deficits, slurred speech, brain injury, confusion, exacerbation of depression, exacerbation of anxiety, pain and suffering, and severe and permanent shock to his nervous system, as a result of which he has suffered, and may, and probably will in the future, continue to suffer great pain, inconvenience, embarrassment, mental anguish, humiliation, agony, and he has been and probably will be in the future hindered from performing or tending to his usual daily duties to his great financial damage and loss.

81. "Scales" further avers that as a result of his injuries he has suffered a loss of his

earning capacity and an impairment of his earning capacity and that this impairment will continue permanently into his future.

82. "Scales" further avers that as a result of the foregoing, he has incurred medical, diagnostic testing, and medication expenses in an effort to treat and cure himself and will be required to incur the same expenses for an indefinite time in the future.

83. "Scales" further avers that as a result of the foregoing, he has suffered a loss of life's pleasures.

ATTORNEY FEES

84. It was necessary for "Scales," to hire the under-signed attorney to file this lawsuit. Upon judgment, "Scales" Is entitled to an award of attorney fees and costs under 42 U.S.C. §1988 (b).

PRAYER

85. The allegations contained previously are incorporated herein as though fully set forth at length.

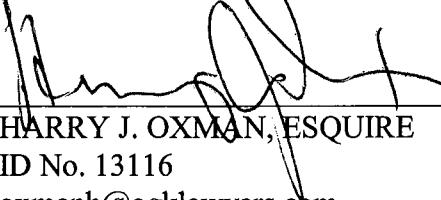
86. **WHEREFORE**, Plaintiff, Joseph Scales, demands judgment against the defendants individually, jointly and/or in the alternative for compensatory damages, punitive damages, attorney fees, interest and costs of suit in an amount in excess of \$150,000 and such relied as this Court may deem fit.

PLAINTIFF'S DEMAND FOR JURY TRIAL

87. Plaintiff, Joseph Scales, asserts his rights under the Seventh Amendment to the U.S. Constitution and demands, in accordance with the Federal Rule 38, a trial by jury on all issues.

Respectfully submitted,

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Attorneys for Plaintiff, Joseph Scales

Date: 10/9/20

VERIFICATION

The undersigned hereby verifies that the within document is based on first-hand information and on information furnished to counsel and obtained by him in the course of this lawsuit. The language of the document is that of counsel and not of the affiant. To the extent that the contents of the document are based on information furnished to counsel and obtained by him during the course of this lawsuit, affiant has relied upon counsel in taking this verification. All statements are founded upon reasonable belief. This verification is made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Joseph Shales Jr.
PLAINTIFF